

Remarks

Claim 6 is canceled herein. Claims 1, 7 and 16 are amended herein. Claims 1-5, 7-8 and 16-21 remain pending in the Application.

Rejection under 102(e)

Claims 1-3, 6-8, 16-18 and 21

In the Office Action, the Examiner rejected Claims 1-3, 6-8, 16-18 and 21 under 35 USC 102(b) as being anticipated by Hamlet et al. (6285548). Applicant has reviewed Hamlet et al. and respectfully states that Hamlet et al. do not anticipate the present invention for the following rationale.

Applicant respectfully states that currently amended Claims 1 and 16 include the feature "a handle element fixedly coupled with said filler panel body, said handle element integrated with said filler panel body to provide a grasping surface for removably coupling said filler panel body with respect to a chassis." Support for the Claimed feature can be found throughout the Application including the Figures (e.g., Figures 13A-16B) and the Specification (e.g., page 14 lines 25-40).

Applicant respectfully disagrees that Hamlet et al. anticipates the feature of currently amended Claims 1 and 16. Applicant understands Hamlet et al. to teach an ejector 106 having a handle portion 132 thereon as the means for grasping the panel body. Moreover, Applicant understands the ejector latch including the handle portion 132 of Hamlet et al. to be removable from the filler panel body. Therefore, Applicant respectfully points out that the handle portion 132 of Hamlet et al. is not integrated and fixedly coupled with the filler panel body.

For example, as is stated in the specification on page 14 lines 23-26, the filler panel body with integrated handle element is formed utilizing processes such as "extruding", "shaping", "casting", "molding", "machining", "milling",

“welding”, “sculpting”, “compressing” or the like. That is, the integrated handle element of the present invention is fixedly coupled to the filler panel. Removal of the handle element from the filler panel would therefore require destruction of the filler panel. Thus, Applicant respectfully points out that the non-removable handle element of the present invention is not similar to or obvious in view of the removable ejector latch handle of Hamlet et al.

Therefore, Applicant understands Hamlet et al. to reach a different solution to a similar problem. Since Applicant understands Hamlet et al. to teach an ejector as the means for providing the handle element, Applicant does not understand Hamlet et al. to anticipate the utilization of a handle affixed to the bulkhead as a means for providing an already existent (e.g., the ejector latch) handle element.

Therefore, Applicant respectfully submits that Hamlet et al. does not anticipate the present claimed invention as recited in Claims 1 and 16, and as such, Claims 1 and 16 are in condition for allowance. Accordingly, Applicant also respectfully submits that Hamlet et al. does not anticipate the present claimed invention as recited in Claims 2-8 and 17-21 which are dependent on an allowable Independent Claims 1 and 16 and that Claims 2-8 and 17-21 recite further features of the present claimed invention. Therefore, Applicant respectfully states that Claims 2-8 and 17-21 are allowable as pending from allowable base Claims:

Rejection under 103(a)

Claims 4, 5, 19 and 20

In the Office Action, the Examiner rejected Claims 4, 5, 19 and 20 under 35 USC 103(a) as being unpatentable over Hamlet et al. in view of Summers et al. (6098133). Applicant has reviewed the cited reference and respectfully submits that the present invention is not rendered obvious over Hamlet et al. in view of Summers et al. for the following rationale.

With respect to Claims 4 and 5, Applicant respectfully points out that Claims 4 and 5 depend from the allowable Claim 1 and recite further features of the present claimed invention. Therefore, Applicant respectfully states that Claims 4 and 5 are allowable as pending from an allowable base Claim.

With respect to Claims 19 and 20, Applicant respectfully points out that Claims 19 and 20 depend from the allowable Claim 16 and recite further features of the present claimed invention. Therefore, Applicant respectfully states that Claims 19 and 20 are allowable as pending from an allowable base Claim.

Conclusion

In light of the above amendments and remarks, Applicant respectfully requests allowance of Claims 1-5, 7-8 and 16-21.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,
Wagner, Murabito & Hao LLP

Date: 2/15/05



John P. Wagner, Jr.
Reg. No. 35,398

Two North Market Street
Third Floor
San Jose, California 95113
(408) 938-9060